

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Raymond Graf,

Civil No. 14-1822 (SRN/SER)

Plaintiff/Counter-Defendant,
v.

ORDER

Pinnacle Asset Group, LLC,

Defendant/Counter-Claimant,

and Warren Kelley, individually, Mr. Wells,
individually, and Anthony Morgan,
individually,

Defendants.

Thomas J. Lyons, Jr., Esq., Consumer Justice Center P.A., 367 Commerce Court,
Vadnais Heights, Minnesota 55127, for Plaintiff/Counter-Defendant.

Janet G. Stellpflug, Wyatt S. Partridge, and Sarah E. Roeder, Esqs., Foley & Mansfield
PLLP, 250 Marquette Avenue, Suite 1200, Minneapolis, Minnesota 55401, for
Defendant/Counter-Claimant.

The above-captioned case came before the undersigned on the Report and
Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report
and Recommendation were filed within the requisite time period.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff Raymond Graf's Motion to
Dismiss Defendant Pinnacle's Counterclaim Pursuant to Fed. R. Civ. P. 12(b)(1) [Doc. No. 22] is

GRANTED and that Defendant Pinnacle Asset Group, LLC's counterclaims are **DISMISSED** **without prejudice.**

Dated: February 12, 2015

s/Susan Richard Nelson

SUSAN RICHARD NELSON

United States District Court Judge